

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

International Application No. : PCT/IT02/00822  
International Filing Date : 23 December 2002 (23.12.2002)  
U.S. Serial No. : 10/540,008  
Deposit Date U.S. Nat'l Phase : 22 June 2005  
Applicant(s) : Damiano OTTONI

Title: AUXILIARY DEVICE FOR EXCAVATOR AND EXCAVATOR PROVIDED  
WITH SAID DEVICE

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. § 371****IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 11213-1450

Sir:

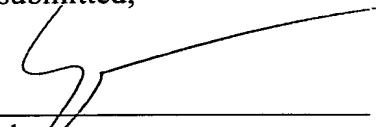
In response to the Notification of Missing Requirements dated November 17, 2005:

- Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of \$65.00
- Applicant(s) include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00.
- Attached is a copy of the Notification of Missing Requirements.
- Applicant(s) request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for a period of one/two/three/four/five month(s) along with the fee of
- Applicant(s) are entitled to small entity status.
- Attached is a verified English translation of the PCT publication along with the fee of \$130.00.
- Attached is a Preliminary Amendment.
- Applicant(s) include the extra claims fee of \$       for       claims in excess of 20       per       additional claim, for       independent claims in excess of 3       per additional claim, and/or       for multiple dependent claims.
- Attached is the Sequence Disclosure (paper/disk versions) with the appropriate statement as required

- Attached is an Application Data Sheet (ADS).
- Attached are the substitute drawings as required.

Attached is a check in the amount of \$65.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402.

Respectfully submitted,



\_\_\_\_\_  
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Attorney Docket No.: MARGI-0045

Date: November 28, 2005

12/01/2005 ATRAN1 00000128 10540008  
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,008	Damiano Ottoni	MARGI-0045
INTERNATIONAL APPLICATION NO.		
PCT/IT02/00822		
I.A. FILING DATE	PRIORITY DATE	
12/23/2002		
Date of Response <u>RESPONSE IS NMR</u>		
Due Date <u>11/17/06</u>		
CONFIRMATION NO. 2654		
371 FORMALITIES LETTER		
*OC000000017464206*		

Date Mailed: 11/17/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/22/2005
- Copy of the International Search Report filed on 06/22/2005
- Preliminary Amendments filed on 06/22/2005
- Information Disclosure Statements filed on 06/22/2005
- U.S. Basic National Fees filed on 06/22/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

DMS  
11/23/05  
B

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,008	PCT/IT02/00822	MARGI-0045

FORM PCT/DO/EO/905 (371 Formalities Notice)